

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ACUITY,

Plaintiff

v.

ALICIA NELSON, et al.,

Defendants

Case No.: 2:25-cv-01143-APG-MDC

Order

Plaintiff Acuity filed suit in this court based on diversity jurisdiction. ECF No. 1. Because it did not identify the citizenship of defendant Dee Thai Spa & Massage LLC's members, I ordered Acuity to show cause why this case should not be dismissed for lack of subject matter jurisdiction. ECF No. 3. Acuity responds by pointing to Nevada Secretary of State records that show Dee Thai's two managers at Nevada addresses. ECF Nos. 5; 5-1. But the Secretary of State filing lists only Dee Thai's managers, not necessarily all the limited liability company's members. Because this is likely the only evidence currently available to Acuity regarding Dee Thai's membership, I accept it as sufficient to satisfy the order to show cause.

However, Acuity remains responsible for showing that complete diversity exists in this case. Consequently, 60 days after Dee Thai appears in this case, Acuity must demonstrate that complete diversity exists, meaning every member (not just managing members) of Dee Thai must be diverse from Acuity.

I THEREFORE ORDER that the order to show cause (ECF No. 3) is satisfied and I will not dismiss this case for lack of subject matter jurisdiction at this time.

I FURTHER ORDER that within 60 days of defendant Dee Thai Spa & Massage LLC entering an appearance in this case, plaintiff Acuity must show that complete diversity exists

1 between it and all defendants, including every member of defendant Dee Thai Spa & Massage
2 LLC.

3 DATED this 3rd day of July, 2025.

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6 ANDREW P. GORDON
7 CHIEF UNITED STATES DISTRICT JUDGE
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